Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 5/21/00	Bureau/Station/Facility: ELA	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 000-06680-0285-055	Date: 05/21/00 Time: 1339 hours
City or Station: East Los Angeles	Nature of Incident: Call for Service - 245 J/O (stabbing)
Location: [redacted] South Sadler Avenue	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street**, Other: ______

Lighting (*circle only one*): Darkness, **Daylight**, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance: approximately 10 feet

Incident Type (*circle one or more*): Accidental, **Armed Person**, Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ______

Initiated by (*circle only one*): Arrest Warrant, **Call**, Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
16	Zero (Knife Used)	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	CARO	TRACI	A	EM PM **Day**	**Regular** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	NONE	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	NONE	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	SHANNON	THOMAS	M.	**On Duty**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	UNLAND	KIMBERLY	L.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	VON BORSTEL	ALEXANDER	S.

PSTD Use Only

SH # 2013164

SH-R-438A rev. 3/97

See Reverse

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
5/21/00	1615 HRS.	2/22/01	

Employee #	Last Name	First Name	M.I
[redacted]	SENO	BENNETT	W.
[redacted]	PATTULLO	KATHI	
[redacted]	MANNIS	KARYN	J.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE					NN	
E#1	S#1	FH	BR	9	Y	Y	DH	CH
E#2	S#1	FH	BR	9	Y	Y	DH	CH
E#3	S#1	FH	BR	9	Y	Y	DH	CH
E#4	S#1	FH	BR	9	Y	Y	DH	CH

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 000-06680-0285-055

Involved Employee

E 1

Employee # [redacted]	Last Name VELASQUEZ	First Name STEVEN	M.I. A.
Sex: M Race: H	Rank DSG	Unit Assignment: ELA	Work Assignment (Unit #, Module, etc.): 28T1
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: UNKNOWN	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 507	Weight: 180		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp #	Last Name [redacted]	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E 2

Employee # [redacted]	Last Name FLORES	First Name JOEL	M.I.
Sex: M Race: H	Rank DSG	Unit Assignment: ELA	Work Assignment (Unit #, Module, etc.): 21A
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: unknown	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 506	Weight: 200		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp #	Last Name [redacted]	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E 3

Employee # [redacted]	Last Name DILISIO	First Name JOSEPH	M.I.
Sex: M Race: W.	Rank DSG	Unit Assignment: ELA	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: unknown	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 510	Weight: 185		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp #	Last Name [redacted]	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Involved Employee Information

URN: 000-06680-0285-055

Involved Employee

E 4

Employee # [redacted]	Last Name GARZA	First Name MANUEL	M.I.
Sex: M Race: H	Rank DSG	Unit Assignment: ELA	Work Assignment (Unit #, Module, etc.): 22
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): Regular (Overtime) Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☒
Hrs of sleep prior to shooting: unknown	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 506	Weight: 180		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 2
Field Training Officer Emp #	Last Name [redacted]	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 000-06680-0285-055

Suspect Information

S 1

Last Name: GARCIA	First Name: RICHARD	M.I.: N.
AKA Last Name: GARCIA	First Name: OZZIE	M.I.
Sex: M Race: H	Street Address: [redacted] City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted] Social Security #: [redacted]	Driver's License #: [redacted]
Age: 35 D.O.B. 10/09/65	Height: 510 Weight: 125 FBI #: [redacted]	CII #
Booking #	Primary Charge: Secondary Charge:	
Coroner Case? ☒	Coroner Case # 2000-03699 Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒ Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone: Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight: FBI #	CII #
Booking #	Primary Charge: Secondary Charge:	
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone: Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight: FBI #	CII #
Booking #	Primary Charge: Secondary Charge:	
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: Race:	Street Address: City	State & Zip Code:
Work Phone:	Home Phone: Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight: FBI #	CII #
Booking #	Primary Charge: Secondary Charge:	
Coroner Case? ☐	Coroner Case # Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ Mental Illness? ☐	Criminal History? ☐
Vehicle Make	Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]

INVESTIGATIVE SUMMARY

Deputy Involved Hit Shooting
Suspect Deceased
East Los Angeles Station

On Sunday, May 21, 2000, Sergeants Bennett Seno and Kathy Pattullo of the Internal Affairs Bureau responded to Sadler Avenue and Via Campo Street in the unincorporated county area of East Los Angeles regarding a deputy involved shooting / suspect deceased. Internal Affairs Bureau Lieutenant Karyn Mannis as well as Lieutenant Ralph Webb from the Risk Management Bureau responded.

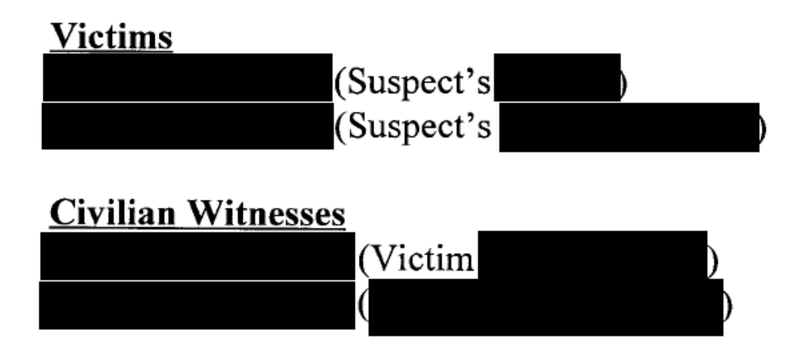
INVOLVED PERSONNEL FROM E.L.A. STATION

Velasquez, Steven, Deputy #[redacted](fired **6 rounds**)
Flores, Joel, Deputy #[redacted](fired **3 rounds**)
Dilisio, Joseph, Deputy #[redacted](fired **4 rounds**)
Garza, Manuel, Deputy #[redacted](fired **3 rounds**)
Total rounds fired: 16

SUSPECT

Garcia, Richard, MH/35 (Deceased)
Criminal history charges and convictions include: [redacted]

WITNESSES



Victims
[redacted](Suspect's [redacted])
[redacted](Suspect's [redacted])

Civilian Witnesses
[redacted](Victim [redacted])
[redacted]([redacted])

[redacted]

LASD Witnesses

Caro, Traci, Deputy Sheriff
Wall, Keith, Sergeant

At approximately 1315 hours, East Los Angeles Station deputies were dispatched to [redacted] South Margaret Avenue, the location of an assault with a deadly weapon just occurred incident, tag # 197.

INVOLVED EMPLOYEES STATEMENTS

Deputy Steven **Velasquez** was working ELA unit 28T1, Days, when he heard the 245 J/O call at [redacted] Margaret Avenue. He told Homicide Investigators that he heard that the handling unit had an extended response time and he was close to the location, so he responded. He heard Deputy Caro advise that she had arrived on Margaret and that she was waiting for an assisting unit. Deputy Velasquez said that he was the first assisting unit to arrive in the area when he saw several people, whom he characterized as " out of control," running northbound toward Sadler Avenue. He said that he stopped his radio car and asked these people if they knew who and where the person with the knife was. The only answer that they told him was, "**He's in the house. He's in the house,**" to which he asked which house, but got no answer.

Deputy Velasquez said that he proceeded to Deputy Caro' s location at [redacted] Margaret and he noticed a male, later identified as Victim [redacted] bleeding from a wound to his left bicep. Deputy Velasquez said that he asked Victim [redacted] where the person with the knife was and [redacted] told him, "**He's in the house, don't hurt him.**" A female suddenly approached them, repeated this statement but did not answer which house the person was in and drove away northbound in a small white car. Deputy Velasquez said that Deputy Dilisio arrived at [redacted] Margaret as the female drove away and he told Deputy Dilisio to stop the white car. Soon after that, the handling unit, Deputy Flores, arrived on Margaret and Deputy Velasquez said that he decided to back-up Deputy Dilisio on the traffic stop of the white car, so he left.

Deputy Velasquez said that he caught up to Deputy Dilisio and observed several people " acting hysterical" and running around the front of the apartment complex at the [redacted] of Via Campo and Sadler Avenue. Deputy Velasquez said that heard Deputy Dilisio asking the people the whereabouts of the suspect and Velasquez said as he exited his radio car, he removed his duty weapon from his holster and held it down on the side of his leg.

Deputy Velasquez said that he also attempted several times to ask the people in front of the location the whereabouts of the suspect and a female finally said, " **He's in there"** as she pointed at the apartment complex. Deputy Velasquez said that he notified Deputies Caro and Flores on the radio that the suspect was probably at his location and to respond there. Deputies Caro and Flores arrived moments later followed by the group of people that he had seen and spoken with earlier on Margaret Avenue. Deputy Velasquez said that people were running around the location and saying, " **Don't hurt him, please don't hurt him**."

At this point, Deputy Velasquez said that deputy personnel still did not know where the suspect was located within the apartment complex and continued their attempts to identify the exact apartment. Deputy Velasquez said that he was standing on the sidewalk in front of the location with Deputy Dilisio standing off to his right and Deputies Caro and Flores stood several feet south of them. Deputy Velasquez said that he saw a male, later identified as Victim [redacted], [redacted], walking out of the complex. Deputy Velasquez said that he yelled out, **"Is that him? Is that him?"** He said someone from the crowd shouted out that it was not "him" and then almost immediately after that someone shouted, ***" There he is!"*** Deputy Velasquez said that he turned to his left, toward the apartment complex, and saw the suspect who was looking directly at him and running or what he further described as "charging" toward him. He continued by saying that he saw the suspect's right hand holding a knife and had it raised above his right shoulder. **(Exhibit 'C')**

Deputy Velasquez said that the suspect was approximately ten to twelve feet away from him when he quickly took a few steps backwards in order to gain some distance on the rapidly approaching suspect. Deputy Velasquez said that the suspect was closing the distance between them and he feared that the suspect could use the edged weapon on him.

> **IAB Note:** There are two knives that were involved in this incident. The first knife was allegedly used by the suspect to attack his [redacted] at [redacted] South Margaret Avenue **(Exhibit D-2)** and then dropped in the gutter south of the shooting location by the suspect before he ran to Victim [redacted]'s apartment. While the suspect was in Victim [redacted]'s apartment, the suspect apparently retrieved the second knife from her kitchen just before running out of the apartment and attacking deputy personnel **(Exhibit 'C')**.

Deputy Velasquez said that he was unable to retreat quickly enough so he fired, what he recalled, six rounds from his duty weapon; he said that he heard other shots being fired at the same time. Deputy Velasquez said that the suspect stopped his aggressive forward movement and fell to the ground approximately one foot in front of him which is where, he said, he was standing prior to taking those steps backwards. Deputy Velasquez said that he approached the suspect and could not see the weapon so he pulled on the suspect's pant leg, straightened it out and discovered the knife **(Exhibit 'D-2)** on the sidewalk beneath the suspect's left hand. Deputy Velasquez said that he picked up the knife (**Exhibit D-2**) and threw it behind him in order to get it away from the suspect's grasp. Deputy Velasquez said that he considered handcuffing the suspect, but he said he decided against it because the suspect was not moving at that point and the crowd had become hostile with several people yelling, "You didn't have to shoot him!"

Deputy Velasquez said that he heard a radio broadcast of someone notifying SCC that there had been a deputy involved shooting and requesting additional units to the scene. He said that he assisted in scene management until transported to the station to be interviewed.

An examination of Deputy Velasquez's duty weapon found it to contain one live round in the chamber and nine live rounds in the magazine for a total of ten live rounds in the weapon. Deputy Velasquez told Homicide investigators that he carried his duty weapon with one live round in the chamber and a fully loaded magazine (15 rounds) for a total of sixteen rounds.

******

Deputy Manuel **Garza** was assigned to ELA unit 22, Days, and stated substantially the same to Homicide Investigators as Deputy Velasquez. Deputy Garza added that prior to his arrival, he heard that the parties involved in the call had moved from Margaret Avenue to the location at Via Campo and Sadler. He said that he believed that he was the last unit to arrive because he saw several radio cars already parked at the location and other deputy personnel standing on the sidewalk in front of the apartment complex. He said that he noticed that Deputy Velasquez was standing at the edge of the front lawn just north of where other deputies were talking with a group of people. As he exited his radio car, he began to walk toward the deputies who were talking with the group of people when he heard someone yelling and then saw the suspect running at Deputy Velasquez out from the apartment complex holding a knife in his right hand above his head and was charging. Deputy Garza went on to say that he heard Deputy Velasquez yelling something but could not make out what he was saying and to whom he was saying it to. Deputy Garza said that the suspect charged Velasquez and got within "15 feet" of Velasquez who reacted to the charging suspect by taking a step backwards. Garza said that he feared for Deputy Velasquez's safety so he fired, in his recollection, three rounds at the suspect. He said that he heard additional gunfire and saw the suspect fall to the ground.

Deputy Garza said that he then approached the suspect, recovered the knife **(Exhibit D-2)** and secured it in the trunk of his radio car. He said that he assisted in maintaining the scene until he was transported to the station for interview purposes.

An examination of Deputy Garza's duty weapon found it to contain one live round in the chamber and twelve live rounds in the magazine for a total of thirteen live rounds in the weapon. Deputy Garza told Homicide investigators that he carried his duty weapon with one live round in the chamber and a fully loaded magazine (15 rounds) for a total of sixteen rounds.

*****

Deputy Joel **Flores** was assigned the handle on the initial call for service as ELA unit 21A, Days, and stated substantially the same to Homicide Investigators as Deputy Velasquez. He added that he was south of where several deputies were standing when he saw the suspect run from the stairwell in the courtyard of the location. He stated that the suspect was holding a large knife in his right hand with his elbow bent and appeared to have a "**crazed look on his face.**" He continued by saying that the

suspect made a **"beeline for Deputy Velasquez."** Deputy Flores said that he was approximately thirty feet from the suspect when he believed that the suspect was " **going to kill my partner**" so he removed his duty weapon and fired, what he believed, three to four shots at the suspect who was at that point approximately ten to fifteen feet from Deputy Velasquez. After the shooting, Deputy Flores assisted with crowd control until he was transported to the station for interview purposes.

An examination of Deputy Flores' duty weapon found it to contain one live round in the chamber and twelve live rounds in the magazine for a total of thirteen live rounds in the weapon. Deputy Flores told Homicide investigators that he carried his duty weapon with one live round in the chamber and a fully loaded magazine (15 rounds) for a total of sixteen rounds.

*****

Deputy Joseph **Dilisio** was working ELA Station's Community Oriented Policing Team, unit 20E, at the time of this incident. He told Homicide Investigators substantially the same as Deputy Velasquez and added that he responded to the call on Margaret Avenue. When he arrived, he said that Deputy Velasquez told him to stop a vehicle that had just left from there and Deputy Caro also told him that one of the persons in the car was a witness to the 245 J/O. He said that he followed the vehicle which had stopped in front of the location and he then contacted a female that had exited the car. He said that Deputy Velasquez arrived at this point and he saw him talking with other people that were standing in front of the location. Deputy Dilisio said at first, he and Deputy Velasquez were unable to get enough to understand what was going on, but a woman who identified herself as the suspect's [redacted] finally spoke with him. He said that she appeared to be highly agitated and she told him **"he's sick"** (probably referring to the suspect). When he asked the female if the suspect was under the influence of any drugs, she told him that she did not know and then said that the suspect was inside the apartment complex.

Deputy Dilisio stated that he was standing on the grass near a palm tree in front of the apartment and he saw Deputy Velasquez standing approximately ten feet to his left when a male, later identified as Victim [redacted], [redacted], walked out from the apartment complex. He said that he heard Deputy Velasquez ask a female that was standing next to him if that was *"him"* [suspect] and she told him that it was not the suspect.

Deputy Dilisio said that approximately ten to fifteen seconds passed when another male came out of the apartment complex in a "full run" directly toward him. He said that he saw the suspect holding a ten to twelve inch knife in his right hand and above his shoulder with the tip of the knife pointing toward him. As quickly as the suspect came running out, the suspect turned his attention toward Deputy Velasquez and started to run toward him. Deputy Dilisio said, " **I saw his [suspect] eyes focus on Deputy Velasquez** ." Deputy Dilisio said that he then saw Deputy Velasquez step backwards and heard him yell, "***Stop! Stop!***"

Deputy Dilisio said that the suspect continued to run on the grassy area toward Deputy Velasquez and got within ten to twelve feet from Deputy Velasquez and he felt that it was the suspect's intention to kill Deputy Velasquez. Deputy Dilisio said that he drew his duty weapon and recalls firing three to four rounds at the suspect, while simultaneously hearing other gunshots. Deputy Dilisio said that the suspect fell forward after being shot and landed approximately where Deputy Velasquez would have been standing had he not stepped backwards.

He said that he and Deputy Velasquez approached the suspect who was still moving and he saw Deputy Velasquez take a hold of the suspect's leg and turn him over. It was then, Deputy Dilisio said, that he saw the knife (**Exhibit 'D-2'**) that the suspect used in the attack on Deputy Velasquez on the sidewalk near the suspect's upper torso. He said that he saw Deputy Velasquez pick the knife up, but did not see what Deputy Velasquez did with it after that.

An examination of Deputy Dilisio's duty weapon found it to contain one live round in the chamber and eleven live rounds in the magazine for a total of twelve live rounds in the weapon. Deputy Dilisio told Homicide investigators that he carried his duty weapon with one live round in the chamber and a fully loaded magazine (15 rounds) for a total of sixteen rounds.

WITNESSES STATEMENTS

Prior to the shooting, Victim [redacted] flagged down and initially told Witness Deputy Caro that he was "***just stabbed***" by his [redacted], the suspect, and that he thought that [the suspect] was "***crazy***" and asked that deputies not harm him. He was telling Deputy Caro that the suspect had gone to Victim [redacted]'s house when he suddenly stopped talking and abruptly ran northbound toward the location.

When Homicide Detectives, Marsh and Looney interviewed [redacted] they noticed that the victim had sustained an injury to his upper left chest area, a puncture wound to the back of his left arm and an abrasion to the left armpit area. **(Exhibit 'D-1')** The Investigators attempted to interview [redacted] who was upset, evasive and unresponsive to their questions. He told Investigators that he had given information to other deputies, that he had not been involved in a fight with the suspect but received his injuries when he fell against a table. [redacted] refused to answer any more questions and left the scene.

*****

Victim [redacted] was interviewed by ELA Detectives at first and then by Homicide Investigators and stated substantially the same in both interviews. She said that she had had an [redacted], [redacted] with the suspect since 1997. She said that when she learned that the suspect had been using the drug, PCP, since age thirteen, she attempted to end the [redacted], but the suspect did not accept her decision and began stalking her. Based on several complaints that she made, he was convicted of stalking and committed to state prison for eighteen months. When the suspect was released in April of 2000, she said that the suspect got a job and "everything was fine" so they began to [redacted] again. She said that approximately two weeks prior to this shooting, the suspect went to her apartment when he was drunk and, almost on a daily basis, called her residence twenty to twenty-five times a day. She said that she told the suspect that she wanted to end the [redacted], and if he came to her apartment again she would call the police and have him violated on his parole. She told investigators that she even called the suspect's [redacted] who allegedly told her that she too could not handle the suspect and that he needed to be placed in a drug and alcohol rehabilitation program. After that, the suspect stopped going to her apartment but continued to call her numerous times each day. When she did answer the phone and speak with the suspect, she could tell that he was "high" and in an "altered state."

Victim [redacted] said that during the two days prior to this shooting, the suspect "got worse" and she had to stop answering the telephone because she did not want to talk with him; in fact, the suspect called so many times that the victim's digital answering machine could not hold anymore messages because the suspect called and said such things as ***"I'm going to come over today and nobody is going to stop me,"*** and that he was going to go to her apartment the same way he used to, referring to his past aggressive behavior (described by Victim [redacted] as incessantly banging on her

door, ringing the doorbell and banging on her windows.)

On the day of this deputy involved shooting, Victim [redacted] said that at approximately 1330 hours, she was in her bedroom getting ready to go to a barbeque when she heard the dining room window fan fall to the floor and then heard someone talking. She said that she believed that her [redacted], Witness [redacted] was locked out of the apartment and he was attempting to get back in. When she opened her bedroom door, she said that she saw the suspect breaking into her apartment by forcing his way through the dining room window. She said that she asked the suspect what he was doing and the suspect stated, as he made his way through the window and into the apartment, " ***I just stabbed my*** [redacted]***..I stabbed him for raping you...I'm sorry I wasn't there to help you, but I'm here now***." Victim [redacted] then asked him what he had said and the suspect replied, ***" I want some water, I need some water"*** and walked directly into the kitchen. She saw him get a mug, fill it with water, begin to stir it with his finger and then say, " ***Has it turned to wine yet?***"

The suspect asked the Victim to taste the water; she took a drink in order to calm him down and after she handed the mug back to him she looked at the suspect's face. She said, " **He was messed up. His face looked terrible, like he hadn't slept in days, he was very gaunt, his eyes were beady, looking back and forth, his lips were cracked and chapped. He looked very unkempt and not himself. He looked awful**." When the Victim told the suspect to sit down, she said that he forcibly grabbed her and moved her toward the dining room. He then left her in the dining room, walked into her bedroom and then returned to the dining room and sat down.

When the Victim walked near him, he suddenly grabbed her pants, unbuckled her belt and pulled on the waistband with enough force to pop open the waist button and unzip the zipper. The suspect told her that he wanted to have sex with her and as she balked at that, she told him that she needed to get a sweater. The Victim said that she was afraid to run out of the location because she was afraid that she was not fast enough to do so without the suspect catching her. After she got a jacket to cover herself up, she walked out of the bedroom and saw her [redacted], [redacted], his [redacted] and their [redacted] walking toward her apartment. Fearing for their safety, she called out to her [redacted] to leave because the suspect was in the apartment and that the had broke in through the window.

She said that as she was talking with her [redacted], she noticed seven to eight of the

suspect's family members standing in the street in front of her apartment building. She said they began warning her by saying, " **Get out of there. Get out of there, something is wrong with him**." She then heard a male, she believed to be Richard's [redacted] call out to her and say, " **He just stabbed me, get out of there, get out of there**. " At this point, she was having difficulty convincing her [redacted] to leave but he finally agreed and started to walk away. The Witness said that she saw about six to seven deputies standing on the sidewalk in front of her apartment building and heard one of them yell, "***Is that him?***" as they were apparently referring to her [redacted]. (The suspect and Witness [redacted] were wearing similar clothing at the time of this incident.) Victim [redacted] said that she exited the apartment and got approximately 25 feet from the door when she decided to go back to the apartment because she said that she was afraid of leaving her cats in the apartment with the suspect.

Victim [redacted] said that she saw the suspect coming out of her apartment and that he was holding a "big kitchen knife" in, what she believed, his left hand. She further stated that she noticed the suspect "ran/walked" past her, while holding the knife above his shoulder with the tip of the knife pointing toward the ground. The Victim heard a woman's voice say, " **he needs help, he's sick...he's not well**." She then heard someone say, " **Oh my God, don't shoot him**." Victim [redacted] estimated the time between when he "ran/walked" past her to the time that she heard shots was approximately three to five seconds. She then ran into her apartment until she was eventually contacted by ELA Detective Chavez.

> **IAB Note:** During an eleven day period (January 22, 1999 - February 1, 1999) the suspect was named as a suspect in [redacted]

*****

Witness [redacted], who is Victim [redacted], said that his [redacted] and the suspect had a [redacted] and that there were several incidents wherein the suspect caused problems for his [redacted]. Witness [redacted] said that on the day prior to the shooting, the suspect had gone to the location looking for Victim [redacted]. He said that the suspect stayed at the location for approximately one and

one-half hours, calling out for Victim [redacted] and walking back and forth in the apartment complex looking "like he was a zombie," referring to the suspect appearing to be drunk or "high." The Witness continued by saying that on prior occasions he had told his [redacted] that the suspect would come over and bang on the door and stay at the location for a long period of time, but she did not believe him; so on the prior day, he decided to videotape the actions and comments of the suspect (**Video Exhibit 'A-2'**).

On the day of the shooting, the Witness said that as he and his [redacted], left the apartment to go on a walk with their [redacted], he told his [redacted] to lock the door because of the possibility that the suspect would come to the apartment and attempt to contact her. He said that when they returned to the apartment complex and began to walk toward his apartment, his [redacted] told him not to go into the apartment. He said he that he then saw the suspect inside the apartment "pacing back and forth." The Witness said that his [redacted] appeared to have a scared look on her face as she told him to leave. The Witness said that as he was telling his [redacted] that he did not want her to be alone with the suspect, his [redacted] exited the apartment and walked away. The Witness said that he entered the apartment where the suspect was and noted the frantic demeanor of the suspect, as the suspect walked back and forth and talked to him as if nothing had happened. At one point, he said, the suspect laid down on the carpet in the living room with his hands behind his back, said, " ***Tell them I surrender,*** " and then got back on his feet and continued to walk aimlessly around the apartment. When asked what he thought the suspect meant when he made reference to "surrendering," he said that he and the suspect could clearly see uniformed deputies and marked radio cars in front of the location when they looked out of the front picture window, and he assumed the suspect was referring to deputy personnel arresting him.

The Witness said that his [redacted] then re-entered the apartment and told him "get out" and "go with [redacted]." The Witness said that he finally agreed and exited the apartment. He said that he went to the front of the apartment complex and " ***about thirty seconds later, that's when Richard ran out with the knife and you guys shot him***." The Witness told investigators that he saw the suspect holding the knife in his right hand about "**an inch above his head... like in position to stab... pointing straight ahead**." The Witness added that the suspect appeared to look at deputy personnel as he ran with the knife in his hand. The Witness said that he did not hear the suspect, the deputies or anyone else at the scene say anything as he ran with the

knife in his hand.

The Witness characterized the deputies shooting the suspect as "*... he could've harm [sic] somebody, anybody. Me, my* [redacted]*, police officers, his own family, anybody. Preventing - the police were preventing damage that could've happened.*"

*****

Witness [redacted] told investigators substantially the same as [redacted] and added that she had witnessed some of the things that [redacted] had mentioned in his interview; however, she was not present the day before this incident when [redacted] videotaped the suspect outside of the apartment. The Witness said that her main concern was for the safety of her [redacted] during this entire incident. She continued by saying that as she stood in front of the apartment complex she heard someone yell, ***" He has a knife!"*** She said that she looked up and saw the suspect running toward deputy personnel holding a " pretty big knife," " up high, like where you could see it" in his left hand. When asked how the suspect was holding the knife, she said that the suspect was holding it above his head with the front [tip] of the knife facing "out."

*****

Deputy Traci **Caro** said that she was working ELA unit 24 days, when she heard unit 21A receive a 245 J/O call on Margaret Avenue. She radioed that she would respond to assist in the call and was the first to arrive. She said that when she drove north on Margaret Avenue from Beverly Boulevard, she saw Victim [redacted] 'waving her down.' She said that he ran up to her and she saw blood on the left side of his shirt. She later noticed that Victim [redacted] had several superficial wounds to his left side and a puncture wound to the upper left arm. Victim [redacted] then told her, " **My** [redacted] **just stabbed me, he's sick, please don't hurt him" " He is crazy, please don't hurt him"** and that the suspect had run north from his house to his [redacted] apartment [location].

She said that as she was talking with Victim [redacted], she saw approximately five other people, both males and females (later identified as the suspect's [redacted]) in the driveway at [redacted] Margaret Avenue. She heard them repeatedly yelling, " **He's crazy, don't hurt him,"** then heard a female voice yell, "***He's got a knife.***" Deputy **Caro** said that Victim [redacted] then suddenly ran north toward the location and ignored

her orders to stop and to come back.

Deputy Caro said that she advised assisting deputies of the updated information and then drove to the location. When she arrived, she saw what appeared to be several members of the suspect's family, yelling and screaming at the deputies, " ***Please don't hurt him, he's crazy***." She said that other deputies at the scene were attempting to find out which apartment Victim [redacted] lived in but they were uncooperative. At one point, Deputy **Caro** said that he crowd swarmed and the deputies were unable to control the crowd.

Deputy Caro observed Deputy Velasquez standing on the sidewalk at the [redacted] of Via Campo and Sadler Avenue near the stop sign. She saw Dilisio and Garza standing in the same area as Velasquez while she and Deputy Flores stood on the grass area south of Velasquez, Dilisio and Garza. She described the deputy personnel to be standing almost in a line north to south in front of the location.

She said that she saw a male, dressed in clothes similar to what was described in the call, walking out from the apartment complex and heard fellow deputies yelling, " ***Is that him?***" and then family members tell deputies that it was not him. Deputy Caro said that seconds later she saw a male (later identified as the suspect) running across the courtyard of the location toward Deputy Velasquez. She said that she saw the suspect holding a knife above his head in his right hand. She went on to say that she removed her duty weapon from her holster and was about to fire it at the suspect but Deputy Flores stood in her line of fire. She heard Deputy Flores fire two to three rounds, heard other gunshots and then saw the suspect fall to the ground near Deputy Velasquez. She said that paramedics were then called to the scene by Sergeant Wall. Deputy Caro added that it took about fifteen to twenty minutes to control the members of the suspect's family who interfered with paramedics rendering first aid.

*****

Sergeant Keith **Wall** was assigned as ELA unit 20S, PM's, and told Homicide Investigators that he responded to the 245 J/O call on Margaret. Sergeant Wall said that he was flagged down before arriving on Margaret Avenue by an unidentified female on Beverly Boulevard. He said that she asked him if he was looking for someone with a knife because she saw a male running northbound on Margaret from Beverly Boulevard holding a knife. Sergeant Wall said that he then heard radio

traffic stating the suspect had moved from Margaret Avenue to Via Campo and Sadler, so he proceeded to the location. Sergeant Wall said the next thing he heard on the radio was Deputy Garza requesting paramedics, an ambulance and a field sergeant to respond to the location. He said that once he was on-scene, he was advised that a deputy involved shooting had occurred so he assumed command of the scene and ultimately arranged to have the deputies who shot to be transported to the station.

******

A canvassing for witnesses of the neighborhood surrounding the location was done by ELA personnel. Most of the people that were contacted stated that they either were not at home at the time of the incident or said that they heard some shots or sounds that resembled firecrackers but did not look out to see what it was (Refer to **Exhibit 'A' pages 22 - 28**). Those residents that did see something relating to this incident are documented below.

[redacted] said that she saw the suspect at the location at approximately 1345 hours that day when the suspect walked up to her open apartment door and looked in; she stated that the suspect looked "weird." She said later that afternoon, she was out back hanging clothes when she heard gunshots, but did not see the shooting. The witness added that she had seen the suspect go to her neighbor's apartment numerous times before wherein he yelled, banged on the door and cried. She said that the suspect had been a "problem" for at least five years.

[redacted] said that he was on the front patio when he heard shots, "like firecrackers. " and saw "two police officers and [a] young man on the floor." He then heard people saying, " Why did you do this?"

[redacted] said that she was in her [redacted] of the location when she looked outside her [redacted] and saw deputies talking to an unidentified female. She said that she heard the female say to the deputies, " ***He's coming, that's him.***" She said that she then ran to her [redacted] and saw the suspect running at deputies and when he reached the sidewalk at the location she heard one shot. She said that as she fell to the floor for her safety, she heard five to six more shots. **(Exhibit 'A-2' , page 6)**

*****

Additionally, Homicide Investigators interviewed Los Angeles County Fire Department personnel regarding what they saw and heard. The Fire Department personnel essentially said that they responded to the location **after** the deputy involved shooting and rendered aid to the suspect and to Victim [redacted].

SUSPECT'S STATEMENTS

According to deputy personnel and witnesses the suspect did not make any statements during the attack on the deputy personnel.

INJURIES

Suspect deceased. Pronounced dead at 1424 hours.

The following injuries were taken from the Department of Coroner *Autopsy Report.* The suspect was struck by seven (7) rounds fired by deputy personnel; however, three were described as being fatal. (**Exhibit 'A' pages 111-118**)

Gunshot wound #1 - non-fatal superficial wound to the left breast.

Gunshot wound #2 - **fatal** penetrating wound to the chest wall causing a complete collapse of the left lung.

Gunshot wound #3 - **fatal** penetrating wound to the left chest wall causing massive injury to the left lung and trauma to the upper spinal cord.

Gunshot wound #4 - **fatal** penetrating wound to the left buttock area causing a perforating fracture of the left pelvic bone and perforation of the stomach liver and right lung.

Gunshot wound #5 - non-fatal perforating wound to the left upper arm.

Gunshot wound #6 - non-fatal perforating wound to the right wrist.

Gunshot wound #7 - non-fatal perforating wound to the left wrist.

The Coroner's toxicology report indicates a "negative" reading for alcohol and "Not Detected" for drugs or narcotics in the Suspect's blood and cavity sample obtained during the autopsy.

PHYSICAL EVIDENCE

Refer to **Exhibit 'A'** - Homicide book.

WEAPONS USED BY DEPUTY PERSONNEL

Each of the four deputy personnel that shot at the suspect during this incident utilized their department issued service weapon.

WEAPONS USED BY THE SUSPECT

Two kitchen knives:

1) One - curved blade kitchen type knife which came back presumptive for blood smeared on the blade possibly used to stab Victim [redacted] **(Exhibit 'D-2')**

2) One - straight blade kitchen type knife taken from Victim [redacted]'s house and used in the attack of the deputy. **(Exhibit 'C')**

PROPERTY DAMAGE

As a result of this shooting, several rounds struck the west facing apartments at [redacted] (location); and two rounds struck [redacted] of the [redacted] at [redacted] which is at the [redacted] of Via Campo Street and Sadler Avenue. Lieutenant Ralph Webb, Risk Management Bureau responded to the location on the afternoon of this shooting to handle civil litigation responsibilities.

CRIMINAL INVESTIGATOR

Homicide Sergeant William Marsh and Deputy Edward Looney.